



ELECTION NEWS

A special informational bulletin
on the conduct of the November 2,
2004 general election

Michigan Department of State - Terri Lynn Land, Secretary of State

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Greetings from Secretary of State Terri Lynn Land!

This is the first in a series of newsletters which will be forwarded to you through the Michigan Department of State's Bureau of Elections to assist with your final preparations for the November 2 general election. Please watch for the arrival of the newsletter each week!

As we work together to ensure the successful administration of the November 2 general election, the Department of State stands ready to help you with any election related needs or questions you may have. Please feel free to contact the Bureau of Elections anytime we can be of assistance!

Do We Have Your Current E-mail Address?

Upcoming issues of "Election News" will be e-mailed to you if you have supplied us with a current e-mail address. If you wish to provide an e-mail address or wish to supply a new one, please contact Lucinda Sheltrown of this office SheltrownL@Michigan.gov. (If you received this issue of "Election News" at an e-mail address that you would like us to use for the distribution of this newsletter and similar communications, no action is required!)

Plan Ahead: Extra Voting Stations and Ballots Will Be Needed!

Increasing the number of voting stations in your precincts *will be a very real need at the November 2, 2004 general election* as presidential elections always draw the highest voter turnout. As you prepare for the election, a careful look back at the voter turnout in your jurisdiction for the 1992, 1996 and 2000 presidential elections is essential! Other planning considerations include the length of the ballot and the number of voters each voting station can handle per hour. The election commission does *not* have the option of following the minimum voting station requirements provided under Michigan election law if it is determined that the minimum is inadequate for the election.

In addition to making sure that an adequate number of voting stations is provided in each precinct, it is equally important to order an adequate supply of ballots for the election! Whenever a November general election is conducted, Michigan law directs clerks to order enough ballots for 100% of their registered voters. (R 168.774(6)(a))

Handling Federal Post Card Application Forms

- The Federal Post Card Application (FPCA) is a postage-free absent voter ballot application produced and distributed by the federal government. The following persons are eligible to use an FPCA to request an absent voter ballot:
 - 1.) Members of the Armed Forces and their spouses and dependents.
 - 2.) Members of the Merchant Marine and their spouses and dependents.
 - 3.) U.S. citizens temporarily living or traveling outside of the territorial limits of the United States.
- A person who is eligible to use an FPCA to obtain an absent voter ballot may register up to 8:00 p.m. on the day of the election; *the 30-day registration deadline is waived*. If an individual submitting an FPCA is not registered to vote, the FPCA can be accepted as the voter's registration application.
- An FPCA may be used by one person only; if a husband and wife or several family members who are eligible to use an FPCA wish to obtain absent voter ballots, each must complete a separate FPCA form.
- The Help America Vote Act (HAVA) prohibits the imposition of any restriction on the early submission of absentee ballot requests for federal elections by absent uniformed services voters. With the new HAVA stipulation, city and township clerks are no longer permitted to reject absent voter ballot requests submitted for federal elections by absent uniformed services voters more than 75 days prior to the election.
- HAVA requires local election officials to provide return notification in any instance where a voter registration application or absent voter ballot application submitted by an absent uniformed services voter or an overseas voter is rejected. The notification can be issued by any convenient means (letter, fax or e-mail).
- HAVA stipulates that a Federal Post Card Application (FPCA) used to request absent voter ballots must be honored "through the next 2 regularly scheduled general elections for Federal office...." As a consequence, an FPCA form submitted for the August 3, 2004 primary must be honored for the November 2, 2004 general election; the August 8, 2006 primary; and the November 7, 2006 general election. As the new HAVA stipulation only impacts elections involving federal offices, an absent uniformed services voter or overseas voter who wishes to participate in a local election must submit additional absentee ballot requests for the local elections of interest.
- HAVA requires the Federal Voting Assistance Program office to prescribe a "standard oath" for use with any document submitted by voters under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). The standard oath prescribed by the Federal Voting Assistance Program Office must be used in place of the oath prescribed under Michigan election law when sending an absent voter ballot to an absent uniformed services voter or

overseas voter. (The wording of the oath was included in the HAVA compliance memo issued through the Bureau on June 16, 2004.) The oath can be placed on the absent voter ballot return envelope with a sticker if necessary. The newly prescribed oath does *not* replace the wording of the affidavit which must be submitted by Michigan citizens who are temporarily living or traveling outside of the territorial limits of the United States (“Affidavit for Persons Temporarily Residing Outside of the United States”).

- When sending absent voter ballots to FPCA applicants, the procedures which must be followed depend on the status of the elector submitting the FPCA.

Armed Forces, Merchant Marine, spouses and dependents: Upon the receipt of the FPCA, an absent voter ballot is immediately forwarded to the applicant. As noted above, if the applicant is not registered, the FPCA is accepted as the voter’s registration application. An oath is not required.

Citizens temporarily outside U.S.: These procedures differ from the procedures detailed above as a U.S. citizen who is temporarily living or traveling outside of the territorial limits of the United States must submit either an “Affidavit for Persons Temporarily Residing Outside of the United States” or execute the FPCA under oath to obtain an absent voter ballot.

If the applicant executed the oath on the FPCA form or submitted the above referenced affidavit, an absent voter ballot is immediately sent.

If the applicant did not execute the oath on the FPCA form or submit the above referenced affidavit, the affidavit form is sent to the applicant. An absent voter ballot is immediately sent to the applicant as soon as the affidavit is returned.

The affidavit requirement is provided under Michigan election law, MCL 168.759a. A recommended affidavit form has been posted on the Bureau’s website for your convenience. As noted above, if the applicant is not registered, the FPCA is accepted as the voter’s registration application.

- A qualified elector who is overseas and who resided in Michigan immediately before leaving the United States may register in the city or township where his or her residence was located – even if an established place of residence is no longer maintained in the city or township.
- There is no limit to the length of time a person may reside or travel outside of the territorial limits of the United States and still vote by absent voter ballot. As long as the person remains qualified to vote and properly applies for ballots, the ballot requests must be honored.
- If a member of the Armed Forces or Merchant Marine or a spouse or dependent of a member of the Armed Forces or Merchant Marine applies for an absent voter ballot in a letter instead of an FPCA, immediately send the requested ballot if the applicant is registered. If the applicant is not registered, immediately send the requested ballot and registration forms. If

the registration forms and the ballot are returned by 8:00 p.m. on election night, the ballot can be counted.

- If a private citizen temporarily residing or traveling outside of the territorial limits of the United States does not use an FPCA to apply for an absent voter ballot, an “Affidavit for Persons Temporarily Residing Outside of the United States” must be submitted by the voter before an absent voter ballot can be sent. If the affidavit is not enclosed with the letter request, a blank affidavit form is sent or faxed to the person for completion. (Registration forms must also be sent if the person is not registered.) As soon as the completed affidavit is returned by the voter, the absent voter ballot is mailed. The person must then return the voted ballot and completed registration forms (if required) before 8:00 p.m. on the date of the election.
- HAVA requires each state to submit a report to the Election Assistance Commission (EAC) no later than 90 days after each Federal election which provides the number of absent voter ballots issued to absent uniformed services voters and overseas voters and the number of absent voter ballots “returned by such voters and cast in the election.” The Bureau of Elections will supply Michigan’s county, city and township clerks with forms and instructions for compiling and submitting the required data.

Expedited Ballot Delivery Program for Military Voters Announced

The U.S. Postal Service (USPS) and the Department of Defense (DoD), which operates the Military Postal Service (MPS), have announced that they are combining efforts to expedite the delivery of absentee ballots to and from military post offices (APOs/FPOs) overseas for the November 2 general election. The Postal Service’s goal is to assist the Military Postal Service in speeding up the handling of the mail so that all absentee ballots returned by military service members overseas arrive in time to be counted.

Local election officials are being encouraged to mail absentee ballots during September and early October in order to provide sufficient time for APO/FPO ballots to be received by service members deployed overseas, completed, and returned in a timely manner. To support the DoD’s effort to have every military absentee ballot counted, USPS Postmasters are currently in the process of contacting local election officials to coordinate the mailing of military APO/FPO absentee ballots.

Once ballots are prepared for mailing, local postal officials will coordinate the pickup of ballots on a daily basis during a three-week period that begins on Monday, September 20 and ends on Friday, October 8. The Postal Service will consolidate the APO/FPO ballots at major mail processing centers and expedite the ballots (via Express Mail service) to the three military mail gateways of New York, Miami, and San Francisco where APO/FPO mail is sorted and dispatched overseas.

Questions regarding the special overseas ballot delivery program should be directed to your local Postmaster.